

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Kaitlyn Tansey and Sarah Caudill,
on behalf of themselves and all
similarly situated employees,

Case No. 18-cv-13800

Plaintiffs,

Judith E. Levy
United States District Judge

v.

Mag. Judge Mona K. Majzoub

Katherine's Catering and Special
Events, Inc., *et al.*,

Defendants.

_____/

**ORDER GRANTING JOINT MOTION FOR
APPROVAL OF FLSA SETTLEMENT [13]**

Upon the parties' filing a Joint Motion for Approval of Collective Class Conditional Certification, Notice to Collective Class, and Proposed Settlement, Including Service Awards, and an Award of Attorneys' Fees and Costs, (Dkt. 13) a hearing was held on April 3, 2019, and for the reasons set forth on the record, the Court finds that:

As a result of contested litigation, a bona fide dispute was resolved between the parties and a fair and reasonable settlement was reached;

That the recoverable service award and attorneys' fees and costs, are fair and

reasonable;

Having reviewed the Joint Motion and considered the parties' settlement agreement, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that the collective group of employees employed by Defendants during the period December 7, 2016 through November 24, 2018 is conditionally certified as a Collective for purposes of the claims for withheld tips from Defendants' sponsored tip pools during that period;

IT IS FURTHER ORDERED that all persons in the Collective be notified of their right to opt-into this lawsuit in accordance with the procedures set forth in the parties' Settlement Agreement;

IT IS FURTHER ORDERED that the Notice used to notify those in the Collective be in substantially the same form as attached to the parties Settlement Agreement; and

IT IS FURTHER ORDERED that the Settlement Agreement reached between the parties is approved;

IT IS FURTHER ORDERED that the settlement of Plaintiffs' FLSA claims, as well as any other claims asserted in this action, is a fair and reasonable resolution of *bona fide* disputes and is approved;

IT IS FURTHER ORDERED that the Incentive Awards, and Award of Attorneys' Fees and Costs is hereby GRANTED;

IT IS FURTHER ORDERED that Plaintiffs' claims will be dismissed with prejudice and without additional costs or attorney fees to either party upon this Court being notified that the period for those in the Collective class to opt-into this has closed and that all Opt-In/Consent Forms returned by Collective class members within 10 days after the 60 day notice period has lapsed, and the Defendants have mailed the payments required by the Settlement Agreement.

IT IS SO ORDERED:

Dated: April 3, 2019

s/Judith E. Levy

JUDITH E. LEVY

United States District Judge

STIPULATION

The parties to the above-captioned matter, through their respective attorneys, stipulate to the entry of the above Order.

/s/Jesse L. Young

Jesse L. Young (P72614)

KREIS ENDERLE, P.C.

8225 Moorsbridge

P.O. Box. 4010

Kalamazoo, Michigan 49003-4010

(269) 324-3000

jyoung@kehb.com

Attorneys for Plaintiffs

/s/Robert A. Boonin

Robert A. Boonin (P38172)

Noah S. Hurwitz (P74063)

DYKEMA GOSSETT PLLC

2723 South State Street, Suite 400

Ann Arbor, Michigan 48104

(734) 214-7660

rboonin@dykema.com

nhurwitz@dykema.com

Attorneys for Defendants

Dated: April 3, 2019